

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 50, 51, 53-56, 58, 59, and 61-64 are pending in the present application, Claims 52, 57, 60, and 65 having been canceled without prejudice or disclaimer, and Claims 50 and 58 having been amended. Claims 50 and 58 are amended to include the subject matter of dependent Claims 52 and 60. Thus, no new issues are raised and the present Amendment should be entered. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claims 57 and 65 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement; Claims 50, 51, 56, 58, 59, and 64 were rejected under 35 U.S.C. §103(a) as unpatentable over Okada et al. (U.S. Patent No. 6,611,347, hereinafter Okada) in view of Matsuura et al. (U.S. Patent No. 6,930,796, hereinafter Matsuura); Claims 52, 53, 60, and 61 were rejected under 35 U.S.C. §103(a) as unpatentable over Okada in view of Matsuura, and further in view of Ishikura et al. (U.S. RE37,812, hereinafter Ishikura); Claims 54, 55, 62, and 63 were rejected under 35 U.S.C. §103(a) as unpatentable over Okada in view of Matsuura, and further in view of Ito (U.S. Patent No. 4,908,672); and Claims 57 and 65 were rejected under 35 U.S.C. §103(a) as unpatentable over Okada in view of Matsuura, and further in view of Tabata (U.S. Patent No. 5,448,346).

The rejection under 35 U.S.C. §112, first paragraph, is moot in view of the cancellation of Claims 57 and 65.

Applicant respectfully traverses the rejection of Claim 52, the subject matter of which is now included in Claim 50. Amended Claim 50 recites, *inter alia*,

wherein one of the plurality of recording media
having a size B4 is used as the substitute recording medium
when the recording medium size received by the receiving
unit is a size A4, a recording medium having the size A4 is

unavailable, and one of the plurality of recording media having a size larger than the size A4 is to be used as the substitute recording medium,

one of the plurality of recording media having a size A3 is used as the substitute recording medium when a recording medium having the size B4 is unavailable, and

the forming unit forms the image data received by the receiving unit, without reduction by the reducing unit, on the substitute recording medium having the B4 size or the A3 size.

A proper combination of the cited references does not disclose at least these features of amended Claim 50.

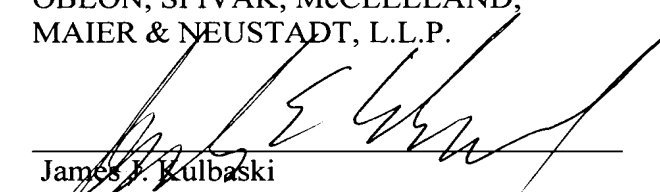
Page 8 of the Office Action relies upon Ishikura to describe the features previously included in Claim 52. Ishikura describes a process of setting the magnification by a user. In other words, Ishikura describes performing a size change as instructed by the user. In the invention defined by Claim 50, if the received recording medium size is A4 and the size A4 recording medium is unavailable, but the size B4 recording medium is available, the image data is reduced and formed on the B4 size recording medium. In the invention defined by Claim 50, if the received recording medium size is A4 and both the size A4 recording medium and the size B4 recording medium are unavailable, the image data is formed on the size A3 recording medium without reduction by the reducing unit. This is not based on a user instruction and is not disclosed by Ishikura.

Okada, Matsuura, and Ishikura, either taken alone or in proper combination, do not disclose or suggest the above-noted elements of Claim 50. Amended Claim 58 recites features analogous to those of amended Claim 50. Accordingly, Claims 50, 51, 53-56, 58, 59, and 61-64 patentably distinguish over a proper combination of Okada, Matsuura, and Ishikura.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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